

A decorative border with a repeating floral and leaf pattern in black and white, framing the entire page.

**Agenda Item #7e –**

**Sphere of Influence Review for  
the Sunset Beach Sanitary  
District  
(SOI 05-35)**



March 8, 2006

CHAIR  
**SUSAN WILSON**  
Representative of  
General Public

VICE CHAIR  
**ROBERT BOUER**  
Councilmember  
City of Laguna Woods

**BILL CAMPBELL**  
Supervisor  
Third District

**PETER HERZOG**  
Councilmember  
City of Lake Forest

**ARLENE SCHAFER**  
Director  
Costa Mesa  
Sanitary District

**TOM WILSON**  
Supervisor  
Fifth District

**JOHN WITHERS**  
Director  
Irvine Ranch Water District

ALTERNATE  
**PATSY MARSHALL**  
Councilmember  
City of Buena Park

ALTERNATE  
**RHONDA MCCUNE**  
Representative of  
General Public

ALTERNATE  
**JAMES W. SILVA**  
Supervisor  
Second District

ALTERNATE  
**CHARLEY WILSON**  
Director  
Santa Margarita  
Water District

**JOYCE CROSTHWAITE**  
Executive Officer

**TO:** Local Agency Formation Commission

**FROM:** Executive Officer  
Assistant Executive Officer

**SUBJECT:** Sunset Beach Sanitary District (SBSD) Sphere of Influence  
Review

### BACKGROUND

Originally scheduled for Commission consideration on September 14, 2005, the Sunset Beach Sanitary District's sphere of influence update was continued for a period of six months pending completion of the City of Huntington Beach Municipal Service Review (MSR).

### INTRODUCTION

In 1997, the State Legislature convened a special commission to study and make recommendations to address California's rapidly accelerating growth. The Commission on Local Governance for the 21<sup>st</sup> Century focused their energies on ways to empower the already existing LAFCOs, originally established in 1963. The Commission's final report, *Growth within Bounds*, recommended various changes to local land use laws and LAFCO statutes. Many of these changes were incorporated into the Cortese-Knox-Hertzberg Reorganization Act of 2000 which provided LAFCO with new responsibilities.

One of the major new responsibilities of LAFCO is to conduct comprehensive, regional studies of municipal services (Municipal Service Reviews or MSRs) every five years in conjunction with reviews of city and district spheres of influence (Government Code Sections 56425 and 54630). Spheres of Influence (SOIs) are boundaries, determined by LAFCO, which define the logical service area for cities and special districts. An MSR was prepared for the Sunset Beach Sanitary District (SBSD) in March 2005. This report addresses the required SOI update for the SBSD.

## **HISTORY**

The Sunset Beach Sanitary District was formed in 1930 to provide sewer service and trash collection to the Sunset Beach/Surfside area. The District comprises approximately 160 acres of which 44 acres (Surfside Colony) are located within the City of Seal Beach, 115 acres (Sunset Beach) are located within unincorporated Orange County, and 0.5 acres are located in the City of Huntington Beach. The original District boundaries were determined by the Pacific Ocean on the south and the marshlands to the north. On the west, the boundary was Anaheim Bay and the east, Warner Avenue. The District's boundaries have remained unchanged for the past 76 years. A vicinity map of the Sunset Beach area is included as Exhibit A.

### No Room for Expansion

The District is surrounded by incorporated areas. The marshlands north of the District were developed in the 1960s as a master planned, water oriented community of Huntington Harbour, located within the City of Huntington Beach. The Bolsa Chica State Beach is located southeasterly of the District and is also located within the City of Huntington Beach. Surfside, which is part of the City of Seal Beach, is immediately adjacent to Sunset Beach.

The Cities of Huntington Beach and Seal Beach provide sewer provision and maintenance service within their own jurisdictional boundaries through municipal departments. The cities also provide trash collection by contract with private disposal companies.

In 1970, the District, County Sanitation District No. 11 (which subsequently became part of the consolidated Orange County Sanitation District) and the City of Huntington Beach entered into a three-party agreement which provided SBSD capacity rights for the transmission and treatment of sewage. Currently, there is no direct connection between SBSD local sewers and the regional trunk sewers of the Orange County Sanitation District. Because of this, it was necessary for SBSD to purchase capacity in local sewers owned by the City of Huntington Beach. The agreement requires SBSD to pay the City of Huntington Beach an annual fee (based on a "per gallon flow") for pumping and conveyance of District sewage flows through the City's pump stations, force mains and gravity system facilities.

The maximum service area of the Sunset Beach Sanitary District coincides with the District's current boundary. Expansion of the District is restricted by the existence of municipal service providers immediately adjacent to the District's boundaries.

Current District Operations

Currently, the SBSD operates and maintains approximately five miles of local sewers within the Sunset Beach and Surfside areas. The District has one part-time employee and contracts for all sewer construction, maintenance, repairs and replacement services. A five-member, locally elected Board of Directors oversees District operations. The District also contracts with a local waste hauler for trash collection services. Serving approximately 2,500 residents, the SBSD provides service to one of the smallest populations of any sewer district in Orange County.

The Sphere of Influence for the Sunset Beach Sanitary District was established by LAFCO in December 1983. At that time, the Commission established a “coterminous” sphere of influence for the SBSD. The sphere has not been reviewed by LAFCO in the past 23 years. The District’s existing sphere of influence is depicted in Exhibit B.

**SPHERE OF INFLUENCE DETERMINATIONS**

In determining a sphere of influence for an agency, Government Code Section 56425 requires LAFCO to consider each of the following factors:

- The present and planned land uses in the area.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.

In October 2005, the Commission adopted a Sphere of Influence Policy to provide additional guidance and direction to staff and agencies in how the Commission evaluates and determines city and district spheres of influence. Orange LAFCO’s sphere policy allows the Commission to adopt several types of spheres: (1) a “coterminous” sphere in which the city’s or district’s sphere is the same as the agency’s boundary; (2) a “transitional” sphere in which LAFCO determines that an agency should at least consider merger or reorganization with an adjacent service provider at some time in the future; and, (3) LAFCO can approve spheres that are either larger or smaller than the agency’s boundary.

## **SUNSET BEACH SANITARY DISTRICT SPHERE OF INFLUENCE DETERMINATION**

The following provides your Commission with an analysis of the factors pursuant to Government Code Section 56425 and the Commission's Sphere of Influence Policy.

### ***The present and planned land uses for the area, including agricultural and open-space lands.***

The area served by the Sunset Beach Sanitary District is built-out. No significant change or expansion in the existing land uses is anticipated. The character of the Sunset Beach community is changing as homes and businesses are remodeled and it is uncertain if the demand for services will change as new residents move into the community.

### ***The present and probable need for public facilities and services in the area.***

The maximum service area of the Sunset Beach Sanitary District coincides with the District's current boundary. Expansion of the district is restricted by the existence of municipal service providers immediately adjacent to the District's boundaries.

### ***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.***

The district's pipelines were originally installed in 1936. The district, in cooperation with the Orange County Sanitation District (OCSD), has undertaken an aggressive program to "plastic line" the district's entire five-mile pipeline system. The project is anticipated to be completed in March 2007. The estimated \$700,000 cost of the project is being shared equally by the SBSD and the OCSD.

The District has no direct connection between SBSD local sewers and the regional trunk sewers of the Orange County Sanitation District. Currently, SBSD pays the City of Huntington Beach an annual fee for pumping and conveyance of District sewage flows through the City's pump stations, force mains and gravity system facilities.

### ***The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.***

The unincorporated area of Sunset Beach is a unique coastal community that is virtually surrounded by the City of Huntington Beach. The community's primary service provider is the County of Orange which provides planning services/building permits, code enforcement, beach maintenance, lifeguards,

park and landscaping services, roads and public safety services through the Orange County Sheriff Department. Water service is provided for Sunset Beach through the City of Huntington Beach, and sewer and trash service through SBSD.

Some residents see the Sunset Beach Sanitary District as playing a unique role in their community because it provides the only locally elected representatives from the Sunset Beach community. During the MSR process, Sunset Beach representatives stated strong opposition to the future annexation of their community to any city, and many see maintaining the SBSD in its current capacity as important to their community's identity as a separate unincorporated community.

## **CONCLUSIONS**

Staff recommends that the Commission place the Sunset Beach Sanitary District in a "transitional" sphere of influence. As defined in the Commission's Sphere of Influence Policy (revised 2/09/05), a transitional sphere may be applied to agencies comprising territory that is largely built-out, substantially similar to adjacent areas in land use patterns, and in which no significant new services to the area are anticipated or in which alternative service provision alternatives should be examined.

Specifically, staff believes that a transitional sphere of influence is appropriate for the Sunset Beach Sanitary District for the following reasons:

- The service area of the District is substantially built-out and the demand for sewer and trash services is not expected to increase significantly.
- While the Sunset Beach community has a strong community identity, land use patterns are generally similar to those in the City of Huntington Beach.
- Because the District and the Sunset Beach community are virtually surrounded by the City of Huntington Beach, the City is the most logical, long-term service provider to this area.
- The City of Huntington Beach currently provides water and sewage collection service to the area; if Orange County Sheriff's are unavailable police from the City of Huntington Beach respond to emergencies in the area.
- Designation of a transitional sphere for the Sunset Beach Sanitary District does not require LAFCO, the City of Huntington Beach or the District to pursue reorganization. It will encourage the exploration of alternative

service provision options as regulatory and fiscal pressures on all local agencies increase and as land uses in the community change.

## **STAFF RECOMMENDATION**

Staff recommends that the Commission take the following actions:

1. Adopt the Negative Declaration (*Attachment 1*) prepared for the proposed sphere of influence update.
2. Adopt the Statement of Determinations as required by Government Code Section 56425 (*Attachment 2*).
3. Adopt the resolution (*Attachment 4*) adopting a transitional sphere of influence for the Sunset Beach Sanitary District as shown on Exhibit B.

Respectfully submitted,

---

JOYCE CROSTHWAITE

---

BOB ALDRICH

Exhibits:

- A. Location Map
- B. Existing SBSD SOI Map

Attachments:

1. Draft Negative Declaration
2. Statement of Determinations
3. Adopting Resolution


Comment Letters


# EXHIBIT A





**Legend**

 District Boundary

 District Boundary

Sunset Beach Sanitary District  
Sphere of Influence Map

3/08/06

SOI Originally Adopted: 12/14/83

F:\gis\projects\FirstSRmaps\SunsetBeachSan.mxd Last Reviewed: 12/14/83

**ENVIRONMENTAL CHECKLIST FORM**

1. Project Title: Sunset Beach Sanitary District Sphere of Influence Update
2. Lead Agency Name and Address: Orange County LAFCO  
12 Civic Center Plaza, Room 235  
Santa Ana, CA 92701
3. Contact Person and Phone Number: Bob Aldrich, Assistant Executive Officer, (714) 834-2556
4. Project Location: The Sunset Beach Sanitary District serves a total population of 2,500 residents in the unincorporated community of Sunset Beach and portions of the Cities of Seal Beach and Huntington Beach. The district provides sewer and refuse collection services. The district, approximately 160 acres in size, is located in northwest Orange County. It is surrounded on the south and east by the City of Huntington Beach. On the west is Pacific Ocean and to the north is the gated community of Surfside, located in the City of Seal Beach.
5. Project Sponsor's Name and Address: Orange County LAFCO  
12 Civic Center Plaza, Room 235  
Santa Ana, CA 92701
6. General Plan Designation: Suburban Residential, Open Space
7. Zoning: Single and Multi-family Residential, Commercial, Open Space
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheet(s) if necessary.)

Pursuant to California Code of Regulations, Title 14, Section 15074, the Commission will review and consider the adoption of a negative declaration relating to the proposed update of the Sunset Beach Sanitary District's sphere of influence. The negative declaration confirms the findings of the associated initial study that the proposed project (the Sunset Beach Sanitary District sphere of influence update) will not have a significant effect on the environment.

In accordance with Government Code Section 56425 and the LAFCO Sphere of Influence Policy, LAFCO is required to review an agency's sphere of influence every five years in conjunction with conducting municipal service reviews. LAFCO is required to establish a sphere of influence to identify probable future boundaries and service areas of all cities and special districts. A sphere of influence has a time horizon of 15 to 20 years.

LAFCO is recommending that the Sunset Beach Sanitation District be given a "transitional" sphere of influence. A transitional sphere of influence designation for the Sunset Beach Sanitary District indicates that there may be opportunities for the District to reorganize, merge or consolidate with another agency at some point in the future. A transitional sphere encourages the District to examine service delivery alternatives, but has no effect on the District's current operations or ability to provide sewer service to its customers.

9. Surrounding Land Uses and Setting:

The Sunset Beach Sanitary District serves a largely built-out, urbanized area in the northwest coastal area of Orange County. Cities and communities surrounding the Sunset Beach Sanitary District service area, which include the Cities of Seal Beach and Huntington Beach and the unincorporated community of Rossmoor, are also largely built-out and offer limited growth potential. There are two federal defense facilities located in the area – the United States Naval Weapons Station located in Seal Beach and the Joint Forces Training Center in the City of Los Alamitos. Neither facility is currently listed for realignment or closure by the Federal Base Realignment and Closure Commission (BRAC).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

None

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |                                 |                                      |                            |
|---------------------------------|--------------------------------------|----------------------------|
| ~ Aesthetics                    | ~ Agriculture Resources              | ~ Air Quality              |
| ~ Biological Resources          | ~ Cultural Resources                 | ~ Geology / Soils          |
| ~ Hazards & Hazardous Materials | ~ Hydrology / Water Quality          | ~ Land Use / Planning      |
| ~ Mineral Resources             | ~ Noise                              | ~ Population / Housing     |
| ~ Public Services               | ~ Recreation                         | ~ Transportation / Traffic |
| ~ Utilities / Service Systems   | ~ Mandatory Findings of Significance |                            |

**DETERMINATION** (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- ✓ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ~ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ~ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ~ I find that the proposed project MAY have a “potentially significant or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation

## ATTACHMENT 1

measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ~ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

Joyce Crosthwaite, Executive Officer

Printed Name

February 6, 2005

Date

Orange County LAFCO

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

The following is the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the potential environmental impacts of the proposed project with respect to 17 factors prescribed for consideration. For this checklist, the following four designations are used:

- **Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.
- **Potentially Significant Unless Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.
- **Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.
- **No Impact:** The project would not have any impact.

**Issues:**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

**I. AESTHETICS.** Would the project:

a) Have a substantial adverse effect on a scenic vista?	~	~	~	✓
b) Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings, and historic buildings within a state scenic highway?	~	~	~	✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	~	~	~	✓
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	~	~	~	✓

**Discussion:** The project will not result in any significant direct or cumulative impacts on the aesthetics of the project area. This includes not adversely affecting scenic vistas, damaging scenic resources, degrading visual character, or creating new sources of light.

**II. AGRICULTURE RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

## ATTACHMENT 1

### Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	~	~	~	✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	~	~	~	✓
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	~	~	~	✓

Discussion: The proposed project will not cause any specific new developments to be undertaken and will not result in any significant direct or cumulative impacts on the agricultural resources of the project area.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	~	~	~	✓
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	~	~	~	✓
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	~	~	~	✓
d) Expose sensitive receptors to substantial pollutant concentrations?	~	~	~	✓

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

- d) Create objectionable odors affecting a substantial number of people?

~ ~ ~ ✓

Discussion: The project will not result in any significant direct or cumulative impacts on the air quality within the project area. This includes not violating air quality standards or creating objectionable odors.

#### IV. BIOLOGICAL RESOURCES. Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

~ ~ ~ ✓

~ ~ ~ ✓

~ ~ ~ ✓

~ ~ ~ ✓

~ ~ ~ ✓

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

- e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

~                      ~                      ~                      ✓

Discussion: The proposed project will not cause any specific new developments to be built. The project will not result in any significant direct or cumulative impacts on the biological resources of the project area and this includes adversely affecting endangered, threatened, or rare species and their habitat.

### V. CULTURAL RESOURCES. Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

~                      ~                      ~                      ✓

~                      ~                      ~                      ✓

~                      ~                      ~                      ✓

~                      ~                      ~                      ✓

Discussion: The project will not result in any significant direct or cumulative impacts on the cultural resources of the project area.

### VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

~                      ~                      ~                      ✓

## ATTACHMENT 1

### Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	~	~	~	✓
ii) Strong seismic ground shaking?	~	~	~	✓
iii) Seismic-related ground failure, including liquefaction?	~	~	~	✓
iv) Landslides?	~	~	~	✓
b) Result in substantial soil erosion or the loss of topsoil?	~	~	~	✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	~	~	~	✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	~	~	~	✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	~	~	~	✓

Discussion: The sphere of influence update will not result in any significant direct or cumulative impacts on the geology or soils of the project area including contributing to soil erosion or exposing individuals or structures to loss, such as injury or death, resulting from earthquakes or landslides.

### VII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	~	~	~	✓
---	---	---	---	---

## ATTACHMENT 1

### Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	~	~	~	✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	~	~	~	✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	~	~	~	✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	~	~	~	✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	~	~	~	✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	~	~	~	✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	~	~	~	✓

Discussion: Updating the agency's sphere of influence will not result in any significant direct or cumulative impacts with respect to creating hazards or hazardous materials within the project area.

### VIII. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?	~	~	~	✓
---	---	---	---	---

## ATTACHMENT 1

### Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	~	~	~	✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	~	~	~	✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	~	~	~	✓
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	~	~	~	✓
f) Otherwise substantially degrade water quality?	~	~	~	✓
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	~	~	~	✓
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	~	~	~	✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	~	~	~	✓

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

- j) Inundation by seiche, tsunami, or mudflow?

~ ~ ~ ✓

**Discussion: Adoption of an updated sphere of influence for the Sunset Beach Sanitary District will not result in a depletion of groundwater supplies, alteration of existing drainage patterns, creation of runoff water, and exposure of people to a significant risk of flooding nor will it result in a net deficit in aquifer volume.**

### IX. LAND USE AND PLANNING. Would the project:

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

~ ~ ~ ✓

~ ~ ~ ✓

~ ~ ~ ✓

**Discussion:** Updating the District's sphere of influence will not result in any significant direct or cumulative impacts with respect to land use planning within the project area.

### X. MINERAL RESOURCES. Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

~ ~ ~ ✓

~ ~ ~ ✓

**Discussion:** The project will not result in any significant direct or cumulative impacts on the mineral resources of the project area. This includes not incurring the loss of known valuable mineral resources.

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

#### XI. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	~	~	~	✓
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	~	~	~	✓
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	~	~	~	✓
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	~	~	~	✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	~	~	~	✓
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	~	~	~	✓

Discussion: The project will not result in any significant direct or cumulative impacts on noise levels within the project area. This includes not exposing individuals to excess ground borne vibrations or substantially increasing ambient noises, whether temporary, periodical, or permanent.

#### XII. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	~	~	~	✓
--	---	---	---	---

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

~ ~ ~ ✓

b) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

~ ~ ~ ✓

**Discussion: The service of the Sunset Beach Sanitary District is largely built-out and offers only limited, in-fill growth potential. Adoption of an updated sphere of influence will not result in direct and substantial population growth.**

XIII. PUBLIC SERVICES. Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

✓

Fire protection?

~ ~ ~ ✓

Police protection?

~ ~ ~ ✓

Schools?

~ ~ ~ ✓

Parks?

~ ~ ~ ✓

Other public facilities?

~ ~ ~ ✓

Discussion: The Sunset Beach Sanitary District provides sewer service and trash collection (by contract) for 2,500 residents in the Sunset Beach/Surfside areas. Adoption of a transitional sphere of influence for the Sunset Beach Sanitary District indicates that there may be opportunities to reorganize, merge or consolidate with another agency. A transitional sphere encourages the District to examine alternative service delivery options but has no effect on the District's current operations or ability to provide sewer and trash collection services to its existing customers.

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

#### XIV. RECREATION. Would the project:

- |  |   |   |   |   |
|--|---|---|---|---|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ~ | ~ | ~ | ✓ |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?            | ~ | ~ | ~ | ✓ |

Discussion: The project will not result in any significant direct or cumulative impacts on recreational services within the project area, including increasing the use of existing neighborhood and regional parks.

#### XV. TRANSPORTATION / TRAFFIC. Would the project:

- |  |   |   |   |   |
|--|---|---|---|---|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | ~ | ~ | ~ | ✓ |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | ~ | ~ | ~ | ✓ |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | ~ | ~ | ~ | ✓ |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?   | ~ | ~ | ~ | ✓ |
| e) Result in inadequate emergency access?  | ~ | ~ | ~ | ✓ |
| f) Result in inadequate parking capacity?  | ~ | ~ | ~ | ✓ |

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

~      ~      ~      ✓

Discussion: The project will not result in any significant direct or cumulative impacts relating to transportation or circulation within the project area. This includes not causing an increase in street or air traffic patterns, creating inadequate emergency access or parking capacity, or conflicting with adopted transportation policies.

### XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

~      ~      ~      ✓

~      ~      ~      ✓

~      ~      ~      ✓

~      ~      ~      ✓

~      ~      ~      ✓

~      ~      ~      ✓

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

~ ~ ~ ✓

**Discussion: The project will not result in any significant, direct or cumulative impacts on the provision of water or sewer service within the project area. The Sunset Beach Sanitary District provides sewer and trash collection services to the Sunset Beach/Surfside communities. A transitional sphere of influence designation for the Sunset Beach Sanitary District indicates that there may be opportunities for the District to reorganize, merge or consolidate with another agency at some point in the future, but has no effect on the District's current ability to provide sewer and trash collection service to its customers.**

### XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

~ ~ ~ ✓

~ ~ ~ ✓

## ATTACHMENT 1

### Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

~

~

~

✓

Discussion: The project would not result in any significant direct or cumulative impacts relating to mandatory findings of significance within the project area. This includes not degrading the quality of the environment or causing substantial adverse effects on individuals, whether directly or indirectly.

## **ATTACHMENT 2**

### **Statement of Determinations**

#### **Sunset Beach Sanitary District**

*The present and planned land uses for the area, including agricultural and open-space lands.*

The area served by the Sunset Beach Sanitary District is built-out. No significant change or expansion in the existing land uses is anticipated. The character of the Sunset Beach community is changing as homes and businesses are remodeled and it is uncertain if the demand for services will change as new residents move into the community.

*The present and probable need for public facilities and services in the area.*

The maximum service area of the Sunset Beach Sanitary District coincides with the District's current boundary. Expansion of the district is restricted by the existence of municipal service providers immediately adjacent to the District's boundaries.

*The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

The district's pipelines were originally installed in 1936. The district, in cooperation with the Orange County Sanitation District (OCSD), has undertaken an aggressive program to "plastic line" the district's entire five-mile pipeline system. The project is anticipated to be completed in March 2007. The estimated \$700,000 cost of the project is being shared equally by the SBSB and the OCSD.

The District has no direct connection between SBSB local sewers and the regional trunk sewers of the Orange County Sanitation District. Currently, SBSB pays the City of Huntington Beach an annual fee for pumping and conveyance of District sewage flows through the City's pump stations, force mains and gravity system facilities.

*The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.*

The unincorporated area of Sunset Beach is a unique coastal community that is virtually surrounded by the City of Huntington Beach. The community's primary service provider is the County of Orange which

provides planning services/building permits, code enforcement, beach maintenance, lifeguards, park and landscaping services, roads and public safety services through the Orange County Sheriff Department. Water service is provided for Sunset Beach through the City of Huntington Beach, and sewer and trash service through SBSB.

Some residents see the Sunset Beach Sanitary District as playing a unique role in their community because it provides the only locally elected representatives from the Sunset Beach community. During the MSR process, Sunset Beach representatives stated strong opposition to the future annexation of their community to any city, and many see maintaining the SBSB in its current capacity as important to their community's identity as a separate unincorporated community.

**SOI 05-35**

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF ORANGE COUNTY, CALIFORNIA  
MAKING DETERMINATIONS AND APPROVING A  
SPHERE OF INFLUENCE FOR  
THE SUNSET BEACH SANITARY DISTRICT**

**March 8, 2006**

On motion of Commissioner \_\_\_\_\_, duly seconded and carried, the following resolution was adopted:

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCO") adopt Spheres of Influence for all agencies in its jurisdiction and to update those spheres every five years; and

WHEREAS, the Sphere of Influence is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 et seq. of the Government Code; and

WHEREAS, California Government Code Section 56430 requires that in order to prepare and to update Spheres of Influence the Commission shall conduct Municipal Service Reviews prior to or in conjunction with action to update or adopt a sphere of influence; and

WHEREAS, April 13, 2005, after public hearings, Orange County LAFCO adopted Resolution MSR 03-28 approving the Los Alamitos/Seal Beach/Rossmoor/Sunset Beach Municipal Service Review and adopting the written determinations contained therein; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56427, set September 14, 2005 as the hearing date on this Sphere of Influence review proposal and gave the required notice of public hearing; and

WHEREAS, on September 14, 2005, Orange County LAFCO continued consideration of the Sunset Beach Sanitary District Sphere of Influence for a period of six months to allow for completion of the City of Huntington Beach Municipal Service Review; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56427, set March 8, 2006 as the hearing date for this sphere of influence review and gave the required notice of public hearing; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56428, has reviewed this proposal and prepared a report, including her recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, the proposal consists of the designation of a sphere of influence for the Sunset Beach Sanitary District; and

WHEREAS, this Commission called for and held a public hearing on the proposal on March 8, 2006, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, this Commission considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56841; and

WHEREAS, LAFCO, as the lead agency under CEQA (California Environmental Quality Act) for sphere of influence reviews, completed an initial study and determined that adoption of the sphere of influence for the Sunset Beach Sanitary District would not have a significant effect on the environment as defined in CEQA.

WHEREAS, LAFCO certified that based upon the Negative Declaration, the sphere of influence update will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Orange DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. Environmental Action:

- a) LAFCO, as the lead agency, has determined that adoption of the sphere of influence for the Sunset Beach Sanitary District would not have a significant effect on the environment as defined in CEQA. The Commission has therefore adopted a Negative Declaration for the sphere of influence review.
- b) The Executive Officer is instructed to file the Negative Declaration with the County Clerk in accordance with CEQA.
- c) The sphere of influence review will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- d) The Commission directs the Executive Officer to file a *de minimus* statement with California Wildlife, Fish and Game.

Section 2. Determinations

- a) The Commission has adopted the accompanying Statement of Determinations for the Sunset Beach Sanitary District, shown as “Exhibit A.”
- b) The Commission has amended the Sunset Beach Sanitary District’s sphere of influence as shown on the attached map labeled “Exhibit B.”

Section 3. This sphere review is assigned the following distinctive short-form designation: “Sphere of Influence Study for the Sunset Beach Sanitary District” (SOI 05-35).

Section 4. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Section 56882 of the Government Code.

AYES:

NOES:

STATE OF CALIFORNIA    )  
   ) SS.  
 COUNTY OF ORANGE     )

I, BOB BOUER, Chair of the Local Agency Formation Commission of Orange County, California, hereby certify that the above and foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof, held on the 8th day of March, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand this 8<sup>th</sup> day of March, 2006.

BOB BOUER  
Chair of the Orange County  
Local Agency Formation Commission

By: \_\_\_\_\_  
Bob Bouer



RECEIVED  
FEB 27 2006

LOCAL AGENCY FORMATION COMMISSION

The LAFCO Board of Commissioners  
Chairman Bouer, and Members of the Commission

Feb. 20, 2006

Dear Chairman Bouer;

I am the current President of the Sunset Beach Community Association Board. As you all may know, the SBCA represents the residents of Sunset Beach to our Supervisor, Jim Silva. During the past 10 years as President, I have had a very good working relationship with Supervisor Silva. Many things have been accomplished in Sunset Beach with his help.

This past year and a half, there was a LAFCO Municipal Services Review, which included, Sunset Beach, Seal Beach, Rossmoor, and Los Alamitos. Two of our residents, one member of the SBCA board, and one member of our Sanitary Board spent many many hours at meetings to discuss this MSR.

As a result of this study, the LAFCO Commission is being asked to declare the Sunset Beach Sanitary District a "transitory" sphere of influence; a friendlier-sounding designation which really means the same thing as a Zero sphere of influence. Now this really makes me mad! We have one of the best run Sanitary Districts in Orange County, which costs our residents less than neighboring districts, and we will have completely new infrastructure by the middle of 2006. We also have two trash pickups a week. In all my years as President of the Sunset Beach Community Assoc., I have never had a complaint about our Sanitary District, and I do get a lot of complaints!

Another result of this study, Rossmoor was able to come up with a plan to hire a consultant whose fees were paid with matching funds from the County, to give additional powers to their CSD and to relieve the County's financial burden. As a result, Rossmoor's sphere of influence has been left coterminous with its boundaries, in accordance with the wishes of most of their community.

Also, LAFCO staff is recommending that the Commission make a partial determination that Huntington Beach's sphere of influence include Sunset Beach, without making any of the determinations required for an MSR for Huntington Beach by the Government code. It is not even clear whether anyone in Huntington Beach has been consulted with regard to this "partial" sphere designation. Certainly, the Community Association of Sunset Beach was not made aware of the content of this hearing until very recently, nor were we asked to comment. In addition, the Negative Declaration proposed by LAFCO staff does not take into consideration, or maybe is not even aware of the Sunset Beach Local Coastal Plan, that may seriously conflict with the development and zoning standards of Huntington Beach, resulting in a possible degradation of the goals of the Environmental Quality Act as it pertains to Sunset Beach.

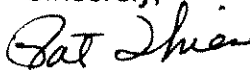
The Sunset Beach Local Coastal Plan was put into effect on March 30, 1983. It was adopted by Orange County and Certified by the California Coastal Commission. This plan carefully covers what should take place in Sunset Beach. It has all the factors of an environmental impact report. We asked why LAFCO did not do an EIR for Huntington Beach. Answer, and this was in the report, "I find that the proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared". I guess I don't understand EIR's, because how could there not be a significant effect on our environment, unless our LCP was to be accepted by Huntington Beach?

*Time and time again, we have been told that Huntington Beach was not at all interested in annexing Sunset Beach. If this is the case, why is there such a rush, with a partial sphere designation, to place Sunset Beach within Huntington Beach's sphere? Updates are required every five years, and this issue can be revisited again.*

*In the meantime, we ask to be omitted from the sphere of influence of Huntington Beach, to give us time, as Rossmoor has been given, to determine a course of action for our future, perhaps through formation of a CSD.*

A little history. Sunset Beach was 100 years old, in 2004. We are a real mix of old and new. We are a Community where most people know each other, if they don't they say hello anyway. We want the opportunity to see what we can do to be more independent and less costly to the County. We hope you will allow us this chance.

Sincerely,



Pat Thies, President

Sunset Beach Community Association Board

CC: Please see that each Commissioner has a copy of this letter for the March 8th LAFCO meeting. Thank You.  
Supervisor Jim Silva, Second District, County of Orange

**LYMAN K. LOKKEN**  
Phone: 562-592-3400

Post Office Box 1509, Sunset Beach, CA 90742-1509  
Fax: 562-592-2059

Cell: 562-508-9908

e-mail: lokkenl@adelphia.net

**RECEIVED**  
FEB 22 2006

February 20, 2006

*Certified Mail-Return Receipt* AGENCY FORMATION COMMISSION

Orange County LAFCO  
12 Civic Center Plaza, Room 235  
Santa Ana, CA 92701  
ATT: Robert Bouer, Chairman

RE: Sunset Beach Sanitary Dist.

Dear Chairman Bouer and Members of the Commission:

My understanding is that this letter will be distributed to you and other Commission members one week before the meeting scheduled for March 8<sup>th</sup>. At that time the Commission will discuss the status of the Sunset Beach Sanitary District ("District").

I am strongly opposed to the staff proposal to give the District a transitional sphere of influence. This change appears to be the same as a Zero sphere of influence.

Furthermore, I would like the Commission to note the following comments:

- This issue has been discussed on prior occasions however, each time the District has been allowed to remain independent. Attached as Exhibit one is an Examination of the Sunset Beach History prepared by Craig Hoad (his wife Gretchen Hoad, Esq. was a member of the MSA Committee).
- The District is well run and cost effective. Attached as Exhibit two a "Total Tax Comparison" prepared by Gregg Griffin, Treasurer of the District, showing that the total cost for a Sunset Beach user is \$316.38 per year, compared to \$416.56 in Huntington Beach or \$473.38 in Seal Beach (both of these cites have reported the need to extensively upgrade their systems).
- It should also be noted that residents in Sunset Beach get trash removal twice a week. If the schedule was changed to once a week the cost would be reduced, and the comparison would be even more favorable to the District.
- At present the sewer line in front of my house on South Pacific is about to be re-lined tomorrow. According to the District, *all of the lines will be re-lined within two months. Contrast this to the known conditions in the two adjacent cities.*
- The board members of the District are dedicated local citizens, who give freely of their time and expertise. At present the District has *one full time employee*. Nevertheless, this community has a fully up to date system because all of the

**revenue is devoted to maintenance and upgrades and not diverted to other uses.  
Nor have there been any public spills or issues of this sort.**

**In view of the above and other information to be presented by the Sunset Beach  
Community Association, I urge the Commission to reject the proposed change to the  
District. Continue to allow the citizens of Sunset Beach to provide for this service on a  
cost effective basis.**

**Thank you for your consideration in this important matter.**

**Very Truly Yours,**

  
**Lyman K. Lokken**

**CC: Sunset Beach Sanitary District, ATT: John Woods  
Sunset Beach Community Association, ATT: Pat Thies**

EXAMINATION OF SUNSET BEACH WOMEN'S CLUB FILES  
ON SUNSET BEACH HISTORY AND ANNEXATION ELEMENTS

Chronology

12/3/03 - Sunset Beach Company (a California corporation) deeds right of way through Sunset Beach to Pacific Electric Company.

1904 - Orange County Board of Supervisors approves map of Sunset Beach prepared by County Surveyor S.H. Finley, C.E. defining boundaries of Sunset Beach.

2/24/31 - Sunset Beach Chamber of Commerce petitions O.C. Board of Supervisors to construct curbs & a sidewalk along State Highway for entire length of Sunset Beach.

1/17/41 - Letter to all Sunset Beach property owners to meet & elect Sunset Beach Chamber of Commerce officers/directors as the community's only representation to County, State & Federal officials (Roosevelt had vetoed a beach erosion bill passed by both houses of Congress the previous year).

10/22/64 - minutes of Sunset Beach C. of C. meeting of 10/20/64 included a resolution that "the community of Sunset Beach is opposed to annexation by any municipality".

3/27/68 - Clerk of LAFCO receives a petition from Sunset Beach requesting establishment of a Sunset Beach Boulevard District of Orange County. Reasons given: grossly inadequate streets, parking, pedestrian walkways and development of a satisfactory plan by signatories of the request.

4/23/68 - Donald Strain petitions O.C. B.O.S. to organize a Sunset Beach Boulevard District under the California Streets & Highways Code Sec. 26060 and protests LAFCO hearings on the matter based upon lack of jurisdiction.

1/13/69 & 6/18/69 letters favoring annexation to Huntington Beach to forestall development of what is now the green strip (P.E. right-of-way), possibly written by Virginia Strain.

1973 - "Seal Beach City Councilmen stated that they would not annex Sunset Beach and will not stand in the way of Huntington Beach plans to absorb the seaside community".

6/13/73 motion of LAFCO Commissioner (Supervisor) Diedrich (seconded & carried) that this commission approves the sphere of influence for the City of Huntington Beach with the exception of the Sunset Beach area, as shown on the accompanying map....

2/15/74 - LAFCO Staff Report for City of Seal Beach Sphere of Influence - between 6/28/66 and 3/7/67, Seal Beach City Council met and adopted a motion that annexation of the community of

Sunset Beach would not be considered in the best interest of the City at the time.

On 6/13/73, the Commission (LAFCO) voted not to include the community of Sunset Beach in a sphere of influence for the City of Huntington Beach and further stated the community should not be placed in the sphere of influence of any city....the Commission stated that, because of its unique character, the community of Sunset Beach should not be placed in the sphere of influence of any city.... in addition, LAFCO, in reviewing the sphere of influence for the City of Huntington Beach, stated that the community of Sunset Beach should not be included in the sphere of influence of any city.

4/19/78 - State legislative counsel opines that Municipal Organization Act (MORGA) is constitutional. Allows cities to annex islands of less than 100 acres without the vote of property owners when specific set of conditions have been met. County Supervisors must approve this type of annexation.

5/31/78 - LA Times quotes Sunset Beach residents as saying that they do not want to be annexed to any city.

8/31/79 - Bill Bodenlos rings Harriet's chimes re/verification of accurate area measurement of Sunset Beach - greater or less than 100 acres ?

9/19/79 - Harriet replies that Sunset Beach area comprises 45 acres.

8/28/80 - LA Times points out that prop. 13 - related tax measure which did not pass prevents annexing cities from deciding how to distribute taxed revenue from annexed entities.

5/11/83 - LAFCO meeting - schedules consideration of Sunset Beach Sanitary District's sphere of influence for "the next few months".

12/14/83 - LAFCO meeting establishes the existing boundaries of the Sunset Beach Sanitary District as the district's sphere of influence.

1/5/84 - County Administrative Office Special Task Force Report to Bill Dodson - there does not appear to be a more cost-effective alternative for delivering sanitary services to (Sunset Beach) Therefore...the Task Force recommends that the SBSD remain in its present capacity.

1/25-26/84 - Long Beach Press-Telegram - Report to O.C. Supervisors suggests that Sunset Beach Sanitary District be allowed to continue because "it is efficient". Supervisors dissolve 5 others.

# SEWER AND TRASH COLLECTION -TOTAL TAX COMPARISON

TAX YEAR 2004/2005

## SUNSET BEACH SANITARY DISTRICT COMPARED TO OTHER COMMUNITIES

<u>District/City</u>	<u>Rossmore/Los Al</u>	<u>Seal Beach</u>	<u>Huntington Beach</u>	<u>Sunset Beach</u>
<u>Tax Bill--OCCSD</u>	115.00	115.00	115.00	316.38
<u>Water Bill</u>				
Sewer Basic		120.54	79.20	0.00
Sewer Sp. Assess.		69.96		0.00
<u>Trash Collection</u>	199.32	167.88	222.26	0.00
<u>Total Tax for Year</u>	314.32	473.38	416.56	316.38

Note that Sunset Beach residents pay just one "Sanitary Assessment" on their yearly tax bill. The Sunset Beach Sanitary District tax bill includes operating expenses, capital outlay, plus the OCCSD sewer disposal fee and the trash collection fee. The other communities have trash pickup once-a-week; Sunset Beach has trash pickup twice-a-week.